

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x
JOHN PARRIS, :
 : Plaintiff,
 : :
 : -against- :
 : :
CENTRAL PLUMBING AND HEATING SERVICE : ORDER
CORP. and EDWARD R. KELLY, : 11-CV-3266 (NGG)
 : :
 : Defendants.
----- x
GOLD, STEVEN M., U.S.M.J.:
 :

On June 13, 2012, plaintiff filed a letter reporting that he settled his claims against defendants. Docket Entry 13. Plaintiff's letter, however, is dated April 13, 2012. During a telephone call with Chambers on June 13, 2012, plaintiff's counsel reported that the settlement monies have not been paid and that he intended to press his motion for default judgment.

Accordingly, plaintiff shall file a letter no later **June 22, 2012**, indicating either that he is pressing his motion or that the case has settled. If the parties have settled the matter, because it is a FLSA case and FLSA requires court approval of settlements, plaintiff shall submit the settlement agreement for the court's review, together with a letter brief explaining why the settlement should be approved, by the same date. If plaintiff states that he is pressing his motion, he shall indicate any amounts he has received thus far as part of the settlement.

Plaintiff's counsel acknowledged during the telephone call that he did not serve defendants with my prior Scheduling Order, Docket Entry 12. Thus, any submission that defendants wish to make in response to plaintiff's damages motion is now due no later than July 9, 2012. Any reply that plaintiff wishes to make should be filed by July 16, 2012. **Upon receipt of this Order, plaintiff is hereby directed promptly to serve a copy of this Order, certified**

mail, return receipt requested, on defendants at their last known addresses, and to provide the court with a copy of the return receipt.

Failure to comply with this Order, given plaintiff's history of failing to comply with court orders, may result in a recommendation of dismissal of plaintiff's claims for failure to prosecute.

SO ORDERED.

/s/

Steven M. Gold
United States Magistrate Judge

Brooklyn, New York
June 14, 2012

U:\eoc 2012\inquests\scheduling orders\parris 061412 order.docx